

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:05cv62**

**HOYT BENNETT,**

**Plaintiff,**

**Vs.**

**PROVIDENT MUTUAL LIFE  
INSURANCE COMPANY OF  
PHILADELPHIA, a/k/a PROVIDENT  
LIFE AND ACCIDENT INSURANCE  
COMPANY a/k/a PROVIDENT LIFE  
AND CASUALTY COMPANY;  
NATIONWIDE LIFE INSURANCE CO.,  
a/k/a NATIONWIDE LIFE INSURANCE  
COMPANY OF AMERICA; and  
WILLIAM J. LONG,**

**Defendants.**

**ORDER**

**THIS MATTER** is before the court on plaintiff's Motion for Issuance of Summons, which the court interprets to be a motion for enlargement of time to effectuate service under Rules 4(m) and 6(b), Federal Rules of Civil Procedure. Plaintiff having shown good and adequate cause for the proposed extension, the relief will be allowed *nunc pro tunc*. Having considered plaintiff's motion and reviewed the pleadings, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that plaintiff's Motion for Issuance of Summons (#5) is **GRANTED**, and plaintiff is allowed up to and inclusive of September 1, 2005, to effectuate service of the Complaint and a Summons upon defendant William J. Long. As a matter of housekeeping, plaintiff should complete such summons and present it to the Clerk of this court for issuance.

**Signed: July 7, 2005**

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

